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Message Text

SECRET

PAGE 01 TRIPOL 00460 111756 Z

44
ACTION SS-25

INFO OCT-01 ADP-00 SSO-00 NSCE-00 /026 W
---------- 041542
O 111410 Z APR 73
FM AMEMBASSY TRIPOLI
TO SECSTATE WASHDC IMMEDIATE 9911
INFO AMEMBASSY RABAT IMMEDIATE

S EC R E T TRIPOLI 0460

EXDIS

RABAT FOR NEWSOM

E. O. 11652: GDS
TAGS: PFOR MOPS XF LY
SUBJECT: POLICY QUESTIONS RE RECON FLIGHTS OFF LIBYA

SUMMARY: THIS MESSAGE ASKS FOR MORE - SPECIFIC ASSURANCES THAN RECEIVED TO DATE THAT CERTAIN POLICY CONSIDERATIONS HAVE BEEN FED INTO DECISION TO PROCEED WITH ANOTHER C-130 RECON FLIGHT OFF LIBYA TOMORROW. END SUMMARY.

1. BY SEPARATE CHANNEL I WAS INFORMED APRIL 10 THAT DECISION HAS BEEN MADE AT HIGHEST LEVEL TO RESUME MEDITERRANEAN RECON FLIGHTS, AND THAT THE FIRST ONE WAS SCHEDULED FOR THAT DAY. THE MESSAGE ADDED THAT THE CONSIDERATIONS I HAD RAISED (TRIPOLI 0370) HAD BEEN TAKEN FULLY INTO ACCOUNT BUT THAT THERE WAS AN OVERRIDING NEED CLEARLY TO ASSERT OUR RIGHTS OF TRANSIT. LATER I WAS INFORMED THAT THE FIRST FLIGHT HAD BEEN POSTPONED FOR 48 HOURS. WHETHER THIS WAS A RESULT OF COMMENTS I MADE IN FLASH REPLY THROUGH THE SAME CHANNEL IS NOT CLEAR. MY MESSAGE HAD EXPRESSED UNDERSTANDING OF THE BASIC DECISION TO PROCEED WITH THE FLIGHTS OFF LIBYA IN ORDER TO MAINTAIN OUR RIGHTS OF TRANSIT BUT HAD EXPRESSED HOPE THAT WAY COULD BE FOUND SO THAT THEY WOULD NOT AGGRAVATE ME SITUATION OR LEAD TO END OF THIS DIPLOMATIC MISSION. I OBSERVED THAT THE FLIGHT SCHEDULED FOR LATER THAT DAY DID NOT APPEAR TO MEET
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EITHER OF THESE CRITERIA BECAUSE OF ITS TIMING AND
THAT DIPLOMACY SHOULD BE ALLOWED TO OPERATE BEFORE
WE ASSERT OUR RIGHTS BY FORCE. I REQUESTED A FINAL
REVIEW WHETHER TO PROCEED WITH THE APRIL 10 FLIGHT.

2. AMONG THE QUESTIONS ASKED IN TRIPOLI 0370 OF MARCH 26
WAS: " HAS CONSIDERATION BEEN GIVEN RECENTLY TO
ALTERNATIVE WAYS OF COLLECTION, INCLUDING USE OF
SATELLITES, WHILE PRESERVING THE PRINCIPLE OF FREEDOM
OF NAVIGATION ON AND OVER THE HIGH SEAS BY OCCASIONAL
AND LESS OBVIOUS TRANSIT PATTERNS." ASSUME THAT THE
ANSWER TO THIS QUESTION IS " YES", AND THAT IN ANY CASE
THESE FLIGHTS, HAVING BEEN CHALLENGED, MUST PROCEED.
I REPEAT THAT THIS BASIC DECISION IS UNDERSTANDABLE TO
US HERE AND INDEED WAS EXPECTED, BUT WE SUBMIT THAT
HOW WE RESUME FLIGHTS IS EQUALLY IMPORTANT. WE ARE
STILL CONCERNED ABOUT THE TIMING OF THE FIRST FLIGHT
IN VIEW OF PREDICTABLE ARAB REACTIONS TO ISRAELI RAID
ON BEIRUT APIL 9-10. FURTHERMORE, WE ARE CONCERNED
ABOUT SOME IMPORTANT DETAILS OF THE INSTRUCTIONS GIVEN
TO THE PILOTS OF OUR FIGHTERS WHO ARE TO ACCOMPANY THE
C-130. WE ARE RAISING OUR QUESTIONS ABOUT THIS
MATTER IN ANOTHER CHANNEL.

3. REGARDING THE TIMING, MY UNDERSTANDING HAD BEEN
THAT FLIGHTS WOULD NOT RESUME UNTIL SITUATION HAD BEEN
STUDIED FURTHER AND TIME ALLOWED FOR DIPLOMATIC ACTION
TO TAKE PLACE HERE AND HAVE AN EDUCATIVE EFFECT. THE
ACTION WAS TAKEN, VERY SATISFACTORILY, ON APRIL 10
(TRIPOLI 0449). MOREOVER, WHEN SEEING SAME MFA OFFICIAL
TODAY, ON OTHER BUSINESS, EMBOFF RECEIVED ASSURANCE OUR
DEMARCHE HAD BEEN REPORTED TO HIGHER AUTHORITIES. STILL,
A RECON FLIGHT TOMORROW RUSHES THINGS. WE HAVE HAD TO
SPEND MANY HOURS OURSELVES POURING OVER DOCUMENTS AND MAPS
TO UNDERSTAND ALL ASPECTS OF USG LEGAL POSITION UNDER
INTERNATIONAL LAW. CAN WE REASONABLY EXPECT LARG,
WHICH NOT NOTED FOR EITHER ITS COORDINATION OR ITS
SPEED, TO DIGEST WHAT WE HAVE PRESENTED AND WITHIN
48 HOURS RECONSIDER ITS OWN POSITION IN THE LIGHT THEREOF?
WE THINK NOT, AND DO NOT UNDERSTAND OVERRIDING URGENCY
APPARENTLY ATTACHED TO PERFORMING OUR NEXT C-130 FLIGHT.
OUR DIFFERENCES WITH THE RULERS OF TRIPOLI OVER TRANSIT
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*** Current Handling Restrictions *** EXDIS
*** Current Classification *** SECRET

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